

S.No.217

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRM-M-29270 of 2019 (O&M)

Date of Decision:17.07.2019

Saruf @ Sharukh

.....Petitioner

Vs.

State of Haryana

.....Respondent

CORAM:- HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present:- Mr. Nipun Vashist, Advocate
for the petitioner.

Mr. Manoj Kumar Sangwan, DAG,
Haryana.

Rajbir Sehrawat, J.(Oral)

The present petition has been filed by the petitioner under Section 439 Cr.P.C for grant of bail pending trial in case FIR No.487 dated 06.09.2018 registered under Sections 379B, 506 and 34 IPC and Section 25 of Arms Act at Police Station Dharuhera, Rewari.

Learned counsel for the petitioner submits that the case against the petitioner is totally concocted. The petitioner is not involved in this crime at all. This assertion of the petitioner is verified by the fact that even the complainant of the case has made supplementary statement before the Police that he does not identify the petitioner as the person involved in the incident. He further submits that in the name of recovery, the Police have taken Rs.1,700 from the petitioner. Otherwise, there is no other evidence against the petitioner to connect him to the crime.

On the other hand, learned State Counsel being instructed by ASI Suresh Kumar, submits that the petitioner is a habitual offender. He is involved in other cases also. However, it is not disputed that even the complainant has made a supplementary statement denying identifying the petitioner as the person involved in the case.

As response to the statement made by the learned State Counsel, learned counsel for the petitioner has pointed out that the petitioner has applied for bail in one case and he has already been granted concession of bail in another case. Since all the cases were concocted in the near vicinity of time and the complainant has not identified even in other cases, therefore, the petitioner is going to file bail application even in the third case.

In view of the above, but without commenting any further upon merits of the case, the present petition is allowed. It is ordered that the petitioner be released on bail on his furnishing bail bonds/ sureties to the satisfaction of the trial Court/ Duty Magistrate.

July 17, 2019
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(RAJBIR SEHRAWAT)
JUDGE

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No